

Rule 2. Commencement of Action

(a) Petition. Filing a petition pursuant to *D.C. Code § 16-1003(a)* shall commence an intrafamily proceeding. The petition shall be signed under oath and shall recite the facts and circumstances upon which the petitioner(s) believe(s) that one or more intrafamily offense(s) are threatened or have been committed. If more than one respondent is named in the pleadings, petitioner shall file an additional copy of the petition for each respondent named. A petitioner filing for a temporary protection order also shall file a proposed temporary protection order, either completed or in blank.

(b) Amendment or supplementation. The petition may be amended or supplemented at any time prior to the conclusion of the hearing on the merits. Such amendments or supplements shall be under oath. Written amended or supplemental petitions shall be served pursuant to Domestic Violence Unit Rule 3, provided that such service shall be accomplished prior to the date set for hearing the petition. Oral motions to amend or supplement the petition made during the hearing shall be granted in the absence of a showing of prejudice to the respondent. When prejudice is shown the Court may grant the motion but allow respondent a continuance pursuant to Domestic Violence Unit Rule 4 in order to allow time to prepare a defense.

(c) Consolidation with other matters. In any criminal, family, or intrafamily case filed in the Domestic Violence Unit, the Clerk will identify (1) any other civil, family, probate or intrafamily case involving the same parties, and (2) any other criminal or intrafamily domestic violence case involving either party. The Clerk will note the existence of all such cases on the front of each separate case jacket. At every hearing in a civil, family, probate or intrafamily case, the Clerk also will provide all identified case jackets or electronically-generated equivalent to the presiding judicial officer. The Clerk will continually update these case references. When there is a finding of an intrafamily offense, or when, in a criminal case, the defendant and victim have an intrafamily relationship as defined by *D.C. Code § 16-1001(5)(A)(B)*, all divorce, custody, paternity, and child support cases involving parties to cases in the above categories shall be consolidated and heard in the Domestic Violence Unit. However, a judge in the Domestic Violence Unit may certify a matter to another appropriate division of the Court for trial or hearing, with the concurrence of the presiding judge of the Unit and the presiding judge of the division to which the case is certified, to avoid undue delay or when another judicial officer is handling or has handled a related matter.

COMMENT

The phrase "signed under oath" as used in these rules means either signed before a notary or other appropriate officer or signed under the penalty of perjury.